

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2200
OFFERED BY MRS. WAGNER OF MISSOURI**

Page 30, line 13, strike “paragraph (1)(C)” and insert “paragraph (1)”.

Page 30, after line 13, insert the following:

1 (A) in subparagraph (C)—

Page 30, line 14, redesignate subparagraph (A) as clause (i), and move such clause, as so redesignated, two ems to the right.

Page 30, line 18, redesignate subparagraph (B) as clause (ii), and move such clause, as so redesignated, two ems to the right.

Page 31, line 7, strike the period at the end and insert a semicolon.

Page 31, after line 7, insert the following:

2 (B) in subparagraph (F), by striking
3 “and” at the end;

4 (C) in subparagraph (G), by striking the
5 period at the end and inserting “; and”; and

6 (D) by adding at the end the following:

1 “(H) for each country included in a dif-
2 ferent list than the country had been placed in
3 the previous annual report, a detailed expla-
4 nation of how the concrete actions (or lack of
5 such actions) undertaken by the country during
6 the previous reporting period contributed to
7 such change, including a clear linkage between
8 such actions and the minimum standards enu-
9 merated in section 108.”.

Page 31, strike lines 8 through line 14 and insert
the following:

- 10 (2) In paragraph (2)—
- 11 (A) in subparagraph (A)(iii)—
- 12 (i) in subclause (I)—
- 13 (I) by inserting “and the country
14 is not taking steps commensurate with
15 the size of the trafficking problem”
16 before the semicolon at the end; and
- 17 (II) by adding “or” at the end;
- 18 (ii) in subclause (II), by striking “;
19 or” and inserting a period; and
- 20 (iii) by striking subclause (III);
- 21 (B) in subparagraph (B), by striking “the
22 last annual report” and inserting “April 1 of
23 the previous year”;

1 (C) in subparagraph (D)—

2 (i) in clause (i), by striking “the date
3 of the enactment of this subparagraph,”
4 and all that follows and inserting—

5 “the date of the enactment of this
6 subparagraph—

7 “(I) shall be included on the list
8 of countries described in paragraph
9 (1)(C); and

10 “(II) shall be required to meet
11 the requirements specified in para-
12 graph (1)(B) before the country may
13 be removed from the list of countries
14 described in paragraph (1)(C).”;

15 (ii) in clause (ii)—

16 (I) by striking “2 years” and in-
17 serting “1 year”;

18 (II) in subclause (II), by striking
19 “and”;

20 (III) in subclause (III), by strik-
21 ing the period at the end and insert-
22 ing “; and”; and

23 (IV) by adding at the end the fol-
24 lowing:

1 “(IV) the country has taken con-
2 crete actions to implement the prin-
3 cipal recommendations of the most re-
4 cent annual report on trafficking in
5 persons with respect to that coun-
6 try.”; and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(iii) WRITTEN PLAN.—The Secretary
10 of State shall endeavor to work with each
11 country that receives a waiver under clause
12 (ii) and with civil society organizations in
13 each country to draft and implement a
14 written plan described in such clause.”;

15 (D) in subparagraph (E)—

16 (i) by striking “through (III)” and in-
17 serting “through (IV)”;

18 (ii) by striking “shall provide” and all
19 that follows and inserting the following:
20 “shall provide, on a publicly available
21 website maintained by the Department of
22 State—

23 “(i) a detailed description of the cred-
24 ible evidence supporting such determina-
25 tion;

1 “(ii) the written plan submitted by
2 the country under subparagraph (D)(ii)(I);
3 and

4 “(iii) supporting documentation pro-
5 viding credible evidence of—

6 “(I) each concrete action by the
7 country to bring itself into compliance
8 with the minimum standards for the
9 elimination of trafficking, including
10 copies of relevant laws or regulations
11 adopted or modified; and

12 “(II) any actions taken by that
13 country to enforce the minimum
14 standards for the elimination of traf-
15 ficking, as appropriate.”.

Page 31, line 15, strike “(C)” and insert “(E)”.

Page 32, after line 14, insert the following:

16 (3) In paragraph (3)—

17 (A) in subparagraph (B), by striking
18 “and” at the end;

19 (B) in subparagraph (C), by striking the
20 period at the end and inserting a semicolon;
21 and

22 (C) by adding at the end the following:

1 “(D) the extent to which the government
2 of the country is devoting sufficient budgetary
3 resources—

4 “(i) to investigate and prosecute acts
5 of severe trafficking in persons;

6 “(ii) to convict and sentence persons
7 responsible for such acts; and

8 “(iii) to obtain restitution for victims
9 of human trafficking;

10 “(E) the extent to which the government
11 of the country is devoting sufficient budgetary
12 resources—

13 “(i) to protect and rehabilitate victims
14 of trafficking in persons; and

15 “(ii) to prevent trafficking in persons;

16 “(F) the extent to which the government of
17 the country has consulted with domestic and
18 international civil society organizations to im-
19 prove the provision of services to victims of
20 trafficking in persons; and

21 “(G) whether—

22 “(i) government officials participate in
23 or facilitate forced labor and human traf-
24 ficking; and

1 “(ii) the government maintains poli-
2 cies that provide incentives for or otherwise
3 support the participation in or facilitation
4 of forced labor and human trafficking by
5 officials at any level of government.”.

Page 32, after line 14, insert the following:

6 (4) By adding at the end the following:

7 “(4) SPECIAL RULE FOR CHANGES IN CERTAIN
8 DETERMINATIONS.—Not later than 90 days after
9 the submission of each annual report under para-
10 graph (1), the Secretary of State shall submit a de-
11 tailed description of the credible evidence supporting
12 a change in listing of a country, accompanied by
13 copies of documents providing such evidence, as ap-
14 propriate, to the appropriate congressional commit-
15 tees not later than 90 days after the submission of
16 that report if—

17 “(A) a country is included on a list of
18 countries described in paragraph (1)(C) in an
19 annual report submitted in calendar year 2015
20 or in any calendar year thereafter; and

21 “(B) in the annual report submitted in the
22 next calendar year, the country is listed on a
23 list of countries described in paragraph (1)(B).

1 “(5) WRITTEN PLAN.—The Secretary of State
2 shall endeavor to work with each country that has
3 been listed pursuant to paragraph (1)(C) in the
4 most recent annual report and civil society organiza-
5 tions to draft and implement the written plan de-
6 scribed in paragraph (2)(D)(ii).

7 “(6) DEFINITIONS.—In this subsection:

8 “(A) CONCRETE ACTIONS.—The term ‘con-
9 crete actions’ means any of the following ac-
10 tions that demonstrably improve the condition
11 of a substantial number of victims of human
12 trafficking and persons vulnerable to human
13 trafficking:

14 “(i) Enforcement actions taken.

15 “(ii) Investigations actively underway.

16 “(iii) Prosecutions conducted.

17 “(iv) Convictions attained.

18 “(v) Training provided.

19 “(vi) Programs and partnerships ac-
20 tively underway.

21 “(vii) Victim services offered, includ-
22 ing immigration services and restitution.

23 “(viii) The amount of money the gov-
24 ernment in question has committed to the

1 actions described in clauses (i) through
2 (vii).

3 “(ix) An assessment of the impact of
4 such actions on the prevalence of human
5 trafficking in the country.

6 “(B) CREDIBLE EVIDENCE.—The term
7 ‘credible evidence’ means information relied
8 upon by the Department of State to make de-
9 terminations relating to the provisions set forth
10 in this division, including—

11 “(i) reports by the Department of
12 State;

13 “(ii) reports of other Federal agen-
14 cies, including the Department of Labor’s
15 List of Goods Produced by Child Labor or
16 Forced Labor and List of Products Pro-
17 duced by Forced Labor or Indentured
18 Child Labor;

19 “(iii) documentation provided by a
20 foreign country, including copies of rel-
21 evant laws, regulations, policies adopted or
22 modified, enforcement actions taken and
23 judicial proceedings, training conducted,
24 consultations conducted, programs and

1 partnerships launched, and services pro-
2 vided;

3 “(iv) materials developed by civil soci-
4 ety organizations;

5 “(v) information from survivors of
6 human trafficking, vulnerable persons, and
7 whistleblowers;

8 “(vi) all relevant media and academic
9 reports that, in light of reason and com-
10 mon sense, are worthy of belief; and

11 “(vii) information developed by multi-
12 lateral institutions.”.

